

Remarks

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

Claims 20-30 and 36-38 are pending in the application. Claims 1-19 and 31-35 are canceled without prejudice or disclaimer, claims 20-30 are amended, and new claims 36-38 are added. Support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and therefore no new matter is added.

It is submitted that the Office Action's comments with respect to claims 1-19 are mooted by the cancellation of these claims.

Claims 1-35 are rejected under 35 U.S.C. § 112, second paragraph. In response, claims 1-19 and 31-35 are canceled, thereby mooted the rejection of these claims. With respect to the remaining claims, independent claim 20 is amended to remove the features identified in the Office Action as being unclear. It is therefore requested that the rejection of remaining claims 20-30 under 35 U.S.C. § 112 be withdrawn.

Claims 1-7, 9, 11, 12, 16-19, 33 and 34 are rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,540,514 to Demars et al. (Demars). Claims 8, 10, 13-15, 20-32 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Demars. It is requested that the rejections of the remaining claims be withdrawn, and that these claims be allowed, for the following reasons.

The present invention, as set forth in independent claim 20, is directed to a fire resistant glazing assembly. Specifically independent claim 20 recites a safety member cooperatively fastened with a support member such that at least a portion of each of first and second panes is disposed therebetween. The safety member includes first and second contacting members, the first contacting member contacting the second pane and the second contacting member being out of contact with the first pane when the first pane is in a first

position adjacent the second pane, and contacting the first pane when the first pane is in a second position away from the second pane.

The claimed invention can provide numerous advantages. By way of specific examples, the safety and support members are cooperatively fastened with one another, such that when a laminate structure including the first and second panes is subjected to high temperatures, such as during a building fire, even though the structure may delaminate so that the first pane falls away from the second pane, a contacting member of the safety member comes into contact with the first pane. By this arrangement, the first pane is retained between the support member and the safety member even when this de-lamination occurs, and the first pane is prevented from falling off of the laminate structure.

It is submitted that Demars does not disclose or render obvious the claimed features recited in independent claim 20. For example, inasmuch as the nut 50 in Figure 6 of Demars may be characterized as analogous to the claimed safety member, the nut 50 does not cooperatively fasten with another member such that first and second panes are disposed therebetween, and the nut 50 does not include a first member in contact with such a second pane and a second member apart from such a first pane when the first pane is adjacent the second pane, and the second member contacting the first pane when the first pane is away from the second pane.

For these reasons it is requested that the rejection of independent claim 20 be withdrawn, and that independent claim 20 be allowed.


Claims 21-30 and 36-38 are allowable for the same reasons as independent claim 20 from which they depend, as well as for their own features. It is therefore requested that the rejections of dependent claims 21-30 be withdrawn, and that dependent claims 21-30 and 36-38 be allowed.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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